

## **EXHIBIT A**

Tuesday, November 29, 2011 8:48 AM

Curtis.

As often happens with families, we were delayed getting out of the door. I took the time to log on a track down the Rule 26 disclosures which I do not believe (from my cursory review of the files) were ever sent to you. If necessary, I can have my assistant dig deeper when she returns next week. In any event, I've updated the POS for today's date.

Have a nice holiday.

-James

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James C. Vlahakis  
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-----Forwarded by James Vlahakis/HC01 on 11/23/2011 11:02AM -----

To: [cwarner@warnerlawllc.com](mailto:cwarner@warnerlawllc.com)  
From: James Vlahakis/HC01  
Date: 11/23/2011 08:33AM  
Subject: Re: D.G. V. Diversified and MRSI

Curtis,

I'm at a loss to understand your sense of urgency. Please explain why you need an answer this instant. Frankly, I'm tired of you always pointing to the size of my firm and suggesting different rules apply to Hinshaw over you. My assistant is out today and I don't think anyone is in position to review my computer. While we do have remote access, right now my home computer is of limited use as I have not updated our server access as the new link was undertaken while I was traveling. I'll see what I can come up with in terms of resending you a copy, but right now I'm loading my family into a car to travel to Michigan. David Schultz is also preparing to travel with his family as well.

In the end, this goes back to my complaint about litigating with you, you appear to enjoy the "process" or at times, the "fight", over being reasonable with opposing counsel. Let's try to get back on track in light of the holiday season. For starters, I offered to give [REDACTED] more time to consider our settlement offer (I can do that in both cases if you need it). Some attorneys would not do that, but I try to give everyone the benefit of the doubt.

Have a good day and a safe trip if you are traveling.

-James

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-----Curtis Warner [cwarner@warnerlawllc.com](mailto:cwarner@warnerlawllc.com) wrote: -----

To: [jvlahakis@hinshawlaw.com](mailto:jvlahakis@hinshawlaw.com) [jvlahakis@hinshawlaw.com](mailto:jvlahakis@hinshawlaw.com)  
From: Curtis Warner [cwarner@warnerlawllc.com](mailto:cwarner@warnerlawllc.com)  
Date: 11/23/2011 04:05AM  
Cc: [dschultz@hinshawlaw.com](mailto:dschultz@hinshawlaw.com) [dschultz@hinshawlaw.com](mailto:dschultz@hinshawlaw.com)  
Subject: Re: D.G. V. Diversified and MRSI

Mr. Vlahakis,

There must be somebody at your office that could confirm whether the Rule 26(a)(1) disclosures were sent, or even done. I thought you have remote access to your files and could of sent me a copy via email if the document exists. Please advise.

Sent from my iPhone  
Curtis Warner

On Nov 22, 2011, at 10:53 PM, [jvlahakis@hinshawlaw.com](mailto:jvlahakis@hinshawlaw.com) wrote:

Curtis.

I just returned from vacation and I am logging in remotely from home. I'll have to check into this on Monday when I return from Michigan (we're heading there tomorrow morning) as I can't recall how or when the disclosures were sent.

Do you still need more time for [REDACTED] to consider our settlement offer? If you do, let me know.

-James

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James C. Vlahakis  
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Mr. Vlahakis,

I have not received Defendant's Rule 26(a)(1) disclosures. If these disclosures were sent via US Mail only please confirm the sending date and promptly email me a copy. If these were sent via email, please state the date that they were sent, confirm that there was no return of the email, and please resend promptly another copy.

Regards,

Curtis Warner

**Curtis C. Warner [cwarner@warnerlawllc.com](mailto:cwarner@warnerlawllc.com)**

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**Curtis Warner <[cwarner@warnerlawllc.com](mailto:cwarner@warnerlawllc.com)>**

11/22/2011 11:14 AM

To James Vlahakis <[jvlahakis@hinshawlaw.com](mailto:jvlahakis@hinshawlaw.com)>

cc

Subject D.G. V. Diversified

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## **EXHIBIT B**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

LOIDY TANG, individually	)	
and on behalf of a class,	)	
	)	
Plaintiff,	)	11 C 2062
	)	
v.	)	Judge Lefkow
	)	
DIVERSIFIED ADJUSTMENT	)	
SERVICES INC.	)	
	)	
Defendant.	)	

**DEFENDANT'S RULE 26(a)(1) DISCLOSURES**

NOW COMES the Defendant, DIVERSIFIED ADJUSTMENT SERVICES, INC., by and through its undersigned counsel, and submits the following as its Rule 26(a)(1) Disclosures:

**Rule 26(a)(1)(A):** The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.

**Response:** Mike Holtz has knowledge related to the operation of Defendant's telephone system, the origin of the telephone number in question and the origin of the underlying debt. Mr. Holtz can be reached through defense counsel. Defendant reserves the right to designate additional individuals as it conducts further investigation and discovery into this case.

**Rule 26(a)(1)(B):** A copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment.

**Response:** This case is presently an individual action. Accordingly, consistent with FRCP 1, Defendant reserves the right to identify class-based documents related to consent at a later date, assuming for the sake of argument that Plaintiff can maintain a class action. Subject to and without waiving these objections, Defendant reserves the right to supplement this disclosure via documents produced in response to Plaintiff's Interrogatories and Document Requests and further motion practice.

**Rule 26(a)(1)(C):** A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privilege or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

**Response:** Defendant does not seek damages at this time.

**Rule 26(a)(1)(D):** For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

**Response:** Upon request, Defendant will produce relevant insurance policy documents.

Defendant DIVERSIFIED ADJUSTMENT SERVICES, INC

By: /s/ James C. Vlahakis

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 23, 2011, emailed this document to the following attorney of record:

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By: /s/ James C. Vlahakis

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